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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,181	03/10/2004	Kenji Tani	1560-0411P	3272
	7590 01/07/200 ART KOLASCH & BI	EXAMINER		
PO BOX 747	CH, VA 22040-0747	SARPONG, AKWASI		
FALLS CHURC	Cn, VA 22040-0747	ART UNIT	PAPER NUMBER	
		2625		
			NOTIFICATION DATE	DELIVERY MODE
			01/07/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/796,181	TANI ET AL.	
Examiner	Art Unit	
AKWASI M. SARPONG	2625	

The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.116 and 41.33(a)). The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). Applicant's reply has overcome the following rejection(s):			AKWASI M. SARPONG	2625	
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoicid abandonment of this application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.131; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following replication in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.131; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ☐ The period for reply expires on: (1) the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for The FIRAL REJECTION. See MFEP 705.07(1). Extensions of time may be obtained under 37 CFR 1.138(d). The date on which the petition under 37 CFR 1.138(s) and the appropriate extension fee number 57 CFR 1.178(s) is exclusived firm; (1) the expiration date of the shortened struutry period for reply originally set in the final Office actor, (2) as ray revolue any examed patent term adjustment. See 37 CFR 1.70(b). NOTICE OF APPEAL 2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 4.137 must be filed within two months of the date of filing the Notice of Appeal was fleed on A brief in compliance with 37 CFR 4.137(e)), to avoid dismissal of the appeal. Since a Notice of Appeal was been filed, any reply must be filed within the time period set froit in 37 CFR 4.137(a). AMENDMENTS 3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise the issue of new matter (see NOTE below); (b) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (c) ☐ They are not deemended claims without cancelling	The MA	NLING DATE of this communication appe	ears on the cover sheet with the	correspondence add	ress
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.1.31: or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.1.14. The reply must be filed within one of the following replection or no order to reply expires on: (1) the mailing date of the final rejection. b) ☑ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, the period for reply expires on: (1) the mailing date of the final rejection, to even however, will the statutory period for reply expires on: (1) the mailing date of the final rejection. Examiner Note: if thost is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MFEP 708.07(1). Extensions of time may be obtained under 37 CFR 1.198(d). The date on which the petition under 37 CFR 1.198(a) and the appropriate extension fee number of CFR 1.178(a) is calculated from: (1) the expiration date of the shortened stantury period for reply originally set in the final Office action; (2) as reply reduced any exame patent term adjustment. See 37 CFR 1.79(b). NOTICE OF APPEAL 2. □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 4.137 (w)), to avoid dismissal of the appeal. Since a Notice of Appeal was been filed, any reply must be filed within the time period set forth in 37 CFR 4.137(a). AMENDMENTS □ The Notice of Appeal was fleed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (b) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (c) ☐ They are not deemed claim(s) any reply must be filed within the time period set forth in 37 CFR 4.1.37(a). AMENDMENTS □ The proposed armendment(s) fall	THE REPLY FILED	03 December 2008 FAILS TO PLACE THIS	S APPLICATION IN CONDITION F	OR ALLOWANCE.	
b)	 The reply was application, ap application in for Continued 	filed after a final rejection, but prior to or on pplicant must timely file one of the following condition for allowance; (2) a Notice of Appe	the same day as filing a Notice of replies: (1) an amendment, affidav eal (with appeal fee) in compliance	Appeal. To avoid abar it, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request
nave been flied is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.7(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 (minute), the object of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the date of filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They arise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 1. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). Applicant's reply has overcome the following rejection(s):	a) The period b) The period no event, h Examiner N	for reply expires on: (1) the mailing date of this A nowever, will the statutory period for reply expire la Note: If box 1 is checked, check either box (a) or (dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejection	n.
filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). would be rejected is provided below or appended. 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) allowed: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: Claim(s) rejected: 1-92. Claim(s) rejected: 1-92. Claim(s) withdrawn from consideration: Merchanical presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. T	have been filed is the under 37 CFR 1.17(a) set forth in (b) above, may reduce any earne	date for purposes of determining the period of ex is calculated from: (1) the expiration date of the if checked. Any reply received by the Office later ad patent term adjustment. See 37 CFR 1.704(b)	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The appropria inally set in the final Office	ate extension fee e action; or (2) as
(a)	filing the Notic	ce of Appeal (37 CFR 41.37(a)), or any exter	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	
NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): 6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)	(a)⊠ They rai (b)☐ They rai (c)☐ They ard	ise new issues that would require further cor ise the issue of new matter (see NOTE belo e not deemed to place the application in bet	nsideration and/or search (see NO w);	TE below);	
5. Applicant's reply has overcome the following rejection(s):	NOTE:	: See Continuation Sheet. (See 37 CFR 1.1	16 and 41.33(a)).		TOL 004)
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-92. Claim(s) withdrawn from consideration: Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). 13. Other: 14. M. S./	5. Applicant's re 6. Newly propos	eply has overcome the following rejection(s) sed or amended claim(s) would be al	:	,	,
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because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)					
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See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s) 13. Other: /King Y. Poon/ /A. M. S./	REQUEST FOR RE	ECONSIDERATION/OTHER		•	
/King Y. Poon/ /A. M. S./	See Continu	ation Sheet.		1 condition for allowan	ce because:
D 1 1	13.	<u>-</u>			
		ent Examiner, Art Unit 2625		;	

Continuation of 3. NOTE: Claims 1-8 and 63, 64, the addition of the limitation "deleting the extracted specific color portion from the received color imae data" "the specific color portion is output to be visible for the requestor, when the authentication is completed" and Claims 49-50 and 65-66, the addition of the limitation "the specific color portion is output to be visible, when the destination to which the transmission of the specific color portion of the received color image data is allowed is stored in the destination storing section" requires further search and Consideration .

Continuation of 11. does NOT place the application in condition for allowance because: It relies on the newly added claim limitations not being entered and the final rejected cliamed limitation are still meet by the prior art of record.